06/12/07

(16)

HIGH COURT OF CHHATTISGARH: BILASPUR

Single Bench: **Hon'ble Shri Dilip Raosaheb Deshmukh, J.**

M.A. No. 71 of 2007

Appellant : K.G. Tirupati, aged 47 years, son of Shri K.G. Venkat Gurla (Ekka), Auditor, District Co-operative Society Limited, Dantewara, district South-Bastar, Dantewara (CG)

Versus

Respondents : 1. Smt. Anita, aged 32 years, wife of K.G. Tirupati, C/o Shri K. Penta, resident of new Mundapara Ambedkar ward, Tiranga Chowk, Jagdalpur, district Bastar (CG)

: 2. Smt. Shantidevi Chauhan, aged 55 years, wife of Shri Surat Singh, Caste Kshatriya, resident of Dantewara (CG)

: 3. State of Chhattisgarh, through the Collector, Dantewara (CG)

Miscellaneous appeal under Section 104(1) (i) read with Order-43 Rule 1(r) of the C.P.C.

Present: Shri Somnath Verma, counsel for the appellant.

ORAL ORDER

(Passed on 06.12.2007)

Learned counsel for the appellant sought permission to withdraw this appeal while submitting that the appellant would make a fresh application before the trial Court praying for grant of temporary injunction only against alienation of the suit property.

(2) In view of the submission made, the appeal is dismissed as withdrawn.

(3) The appellant is at liberty to take steps available to him under law.

(4) In view of the above, I.A. No. 1 for grant of temporary injunction under Order-39 Rule-1 read with Section 151 of the Code of Civil Procedure, 1908 stands disposed of.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Priya